

Applicant/Patentee: Jill Kirsten MacALPINE et al.

Serial No.: 09/551,159

Filed on: April 14, 2000

For: IMPROVED  $\beta,\beta'$ -DIHYDROXY MESO-SUBSTITUTED CHLORINS, ISOBACTERIOCHLORINS, AND BACTERIOCHLORINS

Docket No.: 27301-20112.00

**VERIFIED STATEMENT CLAIMING SMALL ENTITY  
STATUS 37 C.F.R. § 1.9(f) AND § 1.27(d) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the non-profit organization identified below:

Name of nonprofit organization: The University of British Columbia

Address of nonprofit organization: 2194 Health Sciences Mall, Vancouver, British Columbia, V6T 1Z3 Canada

Type of nonprofit organization:

- ☒ University or other institution of higher education  
☐ Tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3))  
☐ Nonprofit scientific or educational under a statute of a state of the United States of America

Name of state:

Citation of statute:

- ☐ Would qualify as tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3)) if located in the United States of America  
☐ Would qualify as nonprofit scientific or educational organization under a statute of a state of the United States of America if located in the United States of America

Name of state:

Citation of statute:

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention entitled IMPROVED  $\beta,\beta'$ -DIHYDROXY MESO-SUBSTITUTED CHLORINS, ISOBACTERIOCHLORINS, AND BACTERIOCHLORINS, by inventor(s) Jill Kirsten MacALPINE, Christian BRUCKNER, and David DOLPHIN described in:

- ☐ the specification filed herewith.  
☒ application serial No. 09/551,159 filed April 14, 2000.  
☐ patent no. , issued

I hereby declare that the rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements answering to their status as small entities and that no rights to the invention are held by any person other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a non-profit organization under 37 § 1.9(e).

Each additional person, concern or organization having any rights in the invention is listed below:

- ☐ no such person, concern or organization exists.  
☒ each such person, concern or organization is listed below.

NAME	ADDRESS	TYPE
QLT Inc.	887 Great Northern Way, Vancouver, British Columbia, V5T 4T5 Canada	<input type="checkbox"/> Individual <input checked="" type="checkbox"/> Small Business Concern <input type="checkbox"/> Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification or any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. § 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

David P. Jones

TITLE IN ORGANIZATION OF PERSON SIGNING:

Acting Director

ADDRESS OF PERSON SIGNING:

DEC 331 - 2194 Health Science Mall, Vancouver, BC

SIGNATURE:

David P. Jones

DATE:

Oct. 26/02

Applicant/Patentee: Jill Kirsten MacALPINE et al.

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**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
37 C.F.R. §§ 1.9(f) AND 1.27(c) -- SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: QLT Inc.

ADDRESS OF CONCERN: 887 Great Northern Way, Vancouver, British Columbia V5T 4T5 Canada

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.12, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled IMPROVED  $\beta,\beta'$ -DIHYDROXY MESO-SUBSTITUTED CHLORINS, ISOBACTERIOCHLORINS, AND BACTERIOCHLORINS by inventor(s) Jill Kirsten MacALPINE, Christian BRUCKNER, and David DOLPHIN, described in

- ☐ the specification filed herewith with title as listed above.  
☒ application serial No. 09/551,159 filed April 14, 2000.  
☐ patent No. , issued

If the rights held by the above identified business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d), or a nonprofit organization under 37 C.F.R. § 1.9(e).

Each additional person, concern or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.  
☒ each such person, concern or organization is listed below.

NAME	ADDRESS	TYPE
THE UNIVERSITY OF BRITISH COLUMBIA	2194 Health Sciences Mall, Vancouver, British Columbia, V6T 1Z3 Canada	<input type="checkbox"/> Individual <input type="checkbox"/> Small Business Concern <input checked="" type="checkbox"/> Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27)

I acknowledge the duty to file, in this application or patent, notification or any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Jennifer Kaufman-Shaw

TITLE OF PERSON IF OTHER THAN OWNER: Director, Intellectual Property

ADDRESS OF PERSON SIGNING: c/o QLT Inc., 887 Great Northern Way, Vancouver, British Columbia V5T 4T5 Canada

SIGNATURE: Jennifer Kaufman-Shaw DATE: 25 October, 2000